

50



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/970,767	10/05/2001	John M. Jamail	107877	1944
21324	7590	07/19/2005	EXAMINER	
HAHN LOESER & PARKS, LLP One GOJO Plaza Suite 300 AKRON, OH 44311-1076			LIN, KENNY S	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 07/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/970,767	Applicant(s) JAMAIL ET AL.	
	Examiner Kenny Lin	Art Unit 2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-29 are presented for examination. Claims 30-32 are canceled.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1, 11 19-20 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Kay, US 6,272,492.
4. As per claim 1, Kay taught the invention as claimed including a method for responding to a content request received from a requesting client machine, comprising:

- a. Receiving a first content request from the requesting client machine, wherein said requesting client machine does not send information identifying a secondary server containing a content corresponding to said first content request (col.1, lines 43-49, col.3, lines 1-3, 38-41, 61-67);
- b. Generating second content request based on the first content request (col.3, lines 42-49);
- c. Transmitting the second content request to at least one secondary server known to contain said content (col.3, lines 42-49, col.4, lines 19-21);
- d. Receiving said content from said at least one secondary server in response to said second content request (col.1, lines 43-55, col.3, lines 3-6, col.4, lines 22-25); and
- e. Forwarding to the requesting client machine the received content as the content corresponding to the first content request (col.4, lines 28-29).

5. As per claim 11, Kay taught the invention as claimed including a system usable to respond to a content request received from a requesting client machine, comprising a proxy server able to receive the content request, wherein said requesting client machine does not send information identifying a secondary server containing a content corresponding to said content request (col.1, lines 43-49, col.3, lines 1-3, 38-41, 61-67), and said proxy server able to generate and transmit a second content request to at least one secondary server known to contain said content (col.3, lines 42-49, col.4, lines 19-21), and said proxy server able to receive the content from said at least one secondary server in response to said second content request (col.1, lines

Art Unit: 2154

43-55, col.3, lines 3-6, col.4, lines 22-25) and transmit the received content to the requesting client machine as the content corresponding to said content request (col.4, lines 28-29).

6. As per claim 19, Kay taught the invention as claimed in claims 11. Kay further taught to comprise a content map that indicates at least one secondary server known to store at least a type of content that corresponds to a content request (col.3, lines 43-49, col.4, lines 30-38).

7. As per claims 20, Kay taught the invention as claimed in claim 19. Kay further taught that the proxy server determines the at least one secondary server to which the second content request is transmitted based on the content map (col.3, lines 43-49, col.4, lines 30-38).

8. As per claim 22, Kay taught the invention as claimed including a system usable to respond to a content request received from a requesting client machine, comprising:

- a. Means for receiving a first content request form the requesting client machine, wherein said requesting client machine does not send information identifying a secondary server containing a content corresponding to said first content request (col.1, lines 43-49, col.3, lines 1-3, 38-41, 61-67);
- b. Means for generating a second content request based on said first content request and transmitting said second content request to at least one secondary server known to contain said content (col.3, lines 42-49, col.4, lines 19-21);

Art Unit: 2154

- c. Means for receiving said content in response to the second content request from said at least one secondary server (col.1, lines 43-55, col.3, lines 3-6, col.4, lines 22-25); and
- d. Means for transmitting the received content to the requesting content machine as the content corresponding to the first content request (col.4, lines 28-29).

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 2-5, 9, 12-17 and 23-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kay, in view of Doyle, US 6,678,793.

11. Doyle was cited in the previous office action.

12. As per claim 2, Kay taught the invention substantially as claimed in claim 1. Kay did not specifically teach the steps of determining, before generating the second content request, if the content corresponding to the first content request is locally available; and forwarding the locally-available content as the content corresponding to the first content request in place of performing the generating, transmitting, receiving and received content forwarding steps. Doyle taught a content-storing server to comprise:

- a. Determining, before generating the second content request, if the content corresponding to the first content request is locally available (col.7, lines 17-22); and
- b. Forwarding the locally-available content as the content corresponding to the first content request in place of performing the generating, transmitting, receiving and received content forwarding steps (col.7, lines 38-40).

13. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kay and Doyle because Doyle's teaching caching requested documents locally at the proxy server enables Kay's method to eliminate the need for retrieving the same contents from a remote server each time the content is requested (See Doyle, col.7, lines 17-22, 30-32, 38-40). Furthermore, Kay's invention regarding a system and method in which functional enhancements may be added without modification or replacement of the content-storing servers enables Doyle's content-storing server systems to be enhanced to without the user knowing the added content servers (See Kay, col.1, lines 30-41).

14. As per claim 3, Kay and Doyle taught the invention substantially as claimed in claim 2. Doyle further taught the method to further comprise locally storing the received content corresponding to the second content request, the locally-stored received content being locally available to a subsequent content request from the requesting client machine requesting content at least similar to the first content request (col.7, lines 17-22, col.8, lines 30-32).

Art Unit: 2154

15. As per claim 4, Kay and Doyle taught the invention substantially as claimed in claim 3.

Doyle further taught the method to comprise:

- a. Determining, if the content corresponding to the first content request is locally available, whether to update the locally available content corresponding to the first content request (col.7, lines 17-22, 32-37);
- b. Forwarding the locally-available content as the content corresponding to the first content request in place of performing the generating, transmitting, receiving and received content forwarding steps if the locally available content is not to be updated (col.7, lines 38-40); and
- c. Performing the generating, transmitting, receiving and received content forwarding steps if the locally available content is to be updated (col.7, lines 48-55, col.8, lines 15-26).

16. As per claim 5, Kay and Doyle taught the invention substantially as claimed in claim 4.

Doyle further taught to determine whether to update the locally available content corresponding to the first content request comprises at least one of determining if the locally available content corresponding to the first content request is older than an update age (col.1, lines 43-46, col.7, lines 32-34); determining if the locally available content corresponding to the first content request includes expiration information (col.1, lines 43-46, col.7, lines 32-34).

17. As per claim 9, Kay taught the invention substantially as claimed in claim 1. Kay did not specifically teach to comprise locally storing the received content corresponding to the second

Art Unit: 2154

content request. Doyle taught to comprise locally storing the received content corresponding to the second content request (col.8, lines 27-32). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kay and Doyle because Doyle's teaching using a local storage device for caching requested documents locally at the proxy server enables Kay's method to eliminate the need for retrieving the same contents from a remote server each time the content is requested (See Doyle, col.7, lines 17-22, 30-32, 38-40). Furthermore, Kay's invention regarding a system and method in which functional enhancements may be added without modification or replacement of the content-storing servers enables Doyle's content-storing server systems to be enhanced to without the user knowing the added content servers (See Kay, col.1, lines 30-41).

18. As per claim 12, Kay taught the invention substantially as claimed in claim 11. Kay did not specifically teach to comprise a storage device usable to store content locally relative to the proxy server. Doyle taught a content-storing server system to comprise a storage device usable to store content locally relative to the proxy server (col.8, lines 27-32). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kay and Doyle because Doyle's teaching using a local storage device for caching requested documents locally at the proxy server enables Kay's method to eliminate the need for retrieving the same contents from a remote server each time the content is requested (See Doyle, col.7, lines 17-22, 30-32, 38-40). Furthermore, Kay's invention regarding a system and method in which functional enhancements may be added without modification or replacement of the

Art Unit: 2154

content-storing servers enables Doyle's content-storing server systems to be enhanced to without the user knowing the added content servers (See Kay, col.1, lines 30-41).

19. As per claim 13, Kay and Doyle taught the invention substantially as claimed in claim 12. Doyle further taught the proxy server to determine whether content corresponding to the first content request is stored in the storage device (col.7, lines 17-22), such that, when content corresponding to the first content request is stored in the storage device, the proxy server transmits the content stored in the storage device corresponding to the first content request to the requesting client machine as the content corresponding to the first content request (col.7, lines 38-40).

20. As per claim 14, Kay and Doyle taught the invention substantially as claimed in claim 12. Doyle further taught the proxy server to determine, for a particular content stored in the storage device, whether to update that particular content stored in the storage device in response to receiving a content request to which that particular content corresponds (col.1, lines 43-46, col.7, lines 32-34).

21. As per claim 15, Kay and Doyle taught the invention substantially as claimed in claim 14. Doyle further taught that when the proxy server determine to update the content, the proxy server transmits a second content request to which that particular content corresponds to at least one secondary server (col.7, lines 48-55, col.8, lines 15-26).

Art Unit: 2154

22. As per claim 16, Kay and Doyle taught the invention substantially as claimed in claim 12. Kay further taught to comprise a content map that indicates, for at least some content requests, at least one secondary server known to store at least a type of content that corresponds to that content request (col.3, lines 43-49, col.4, lines 30-38).

23. As per claim 17, Kay and Doyle taught the invention substantially as claimed in claim 16. Kay further taught that the proxy server determines the at least one secondary server to which the second content request is transmitted based on the content map (col.3, lines 43-49, col.4, lines 30-38).

24. As per claim 23, Kay taught the invention substantially as claimed in claim 22. Kay did not specifically teach to comprise storing means for storing content locally relative to means for receiving. Doyle taught a content-storing server system to comprise storing means for storing content locally relative to the means for receiving (col.8, lines 27-32). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kay and Doyle because Doyle's teaching using a local storage device for caching requested documents locally at the proxy server enables Kay's method to eliminate the need for retrieving the same contents from a remote server each time the content is requested (See Doyle, col.7, lines 17-22, 30-32, 38-40). Furthermore, Kay's invention regarding a system and method in which functional enhancements may be added without modification or replacement of the content-storing servers enables Doyle's content-storing server systems to be enhanced to without the user knowing the added content servers (See Kay, col.1, lines 30-41).

25. As per claim 24, Kay and Doyle taught the invention substantially as claimed in claim 23. Doyle further taught to comprise means for determining whether content corresponding to the first content request is stored in the storing means (col.7, lines 17-22), such that, when content corresponding to the first content request is stored in the storing means, the means for transmitting the received content transmits the content stored in the storage means corresponding to the first content request to the requesting client machine as the content corresponding to the first content request (col.7, lines 38-40).

26. As per claim 25, Kay and Doyle taught the invention substantially as claimed in claim 23. Doyle further taught to comprise updating means for determining, for a particular content stored in the storing means, whether to update that particular content stored in the storing means in response to receiving a content request to which that particular content corresponds (col.1, lines 43-46, col.7, lines 32-34).

27. As per claim 26, Kay and Doyle taught the invention substantially as claimed in claim 25. Doyle further taught that when the updating means determines to update the content, the means for generating and transmitting transmits a second content request to which that particular content corresponds to at least one secondary server (col.7, lines 48-55, col.8, lines 15-26).

28. Claims 8, 21, 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kay, in view of Shannon, US 6,233,618.

29. Shannon was cited in the previous office action.

30. As per claim 8, Kay taught the invention substantially as claimed in claim 1. Kay further taught the step of determining whether at least one secondary server is known to store at least a type of content that corresponds to the content corresponding to the first content request based on a stored content map (col.3, lines 43-49). Kay did not specifically teach the method to comprise:

- a. Searching, if at least one secondary server is not known, a plurality of secondary servers to identify at least one secondary server that contains at least a type of content that corresponds to the content corresponding to the first content request;
- b. Adding, in response to the searching step, to the stored content map the at least one identified secondary server located by the search; and
- c. Transmitting, based on the at least one secondary server identified in the content map, the second content request to that at least one secondary server in response to either the adding step or the at least one secondary server determining step.

31. Shannon taught a method to restrict user access using categories to determine whether at least one secondary server is known to store at least a type of content that corresponds to the content corresponding to the first content request based on a stored content map (col.9, lines 18-24, 64-67, col.10, lines 1-28); searching a plurality of secondary servers to identify at least one secondary server that contains at least a type of content that corresponds to the content corresponding to the first content request if at least one secondary server is not known (col.10,

Art Unit: 2154

lines 10-28); in response to the searching step, adding to the stored content map the at least one identified secondary server located by the search (col.10, lines 21-28) and transmitting, based on the at least one secondary server identified in the content map, the second content request to that at least one secondary server in response to either the adding step or the at least one secondary server determining step (col.10, lines 24-28, col.12, lines 37-45, col.13, lines 19-30, 52-67, col.14, lines 1-5, 16-25, 49-59). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kay and Shannon because Shannon's teaching of accessing control and database matching enables Kay's method to match the content categories in the request and determine whether the user is permitted to access the particular server to obtain the requested content.

32. As per claim 21, Kay taught the invention substantially as claimed in claims 19. Kay did not specifically teach that the proxy server determines whether the content map indicates at least one secondary server known to store at least a type of content that corresponds to the content corresponding to the first content request, the proxy server generating a search of a plurality of secondary servers if the content map does not indicates at least one secondary server known to store at least a type of content that corresponds to the content corresponding to the first content request, the proxy server updating the content map based on results of the search . Shannon taught a proxy server to determine whether the content map indicates at least one secondary server known to store at least a type of content that corresponds to the content corresponding to the first content request, the proxy server generating a search of a plurality of secondary servers if the content map does not indicates at least one secondary server known to store at least a type

Art Unit: 2154

of content that corresponds to the content corresponding to the first content request, the proxy server updating the content map based on results of the search (col.10, lines 10-28, col.12, lines 37-45, col.13, lines 19-30, 52-67, col.14, lines 1-5, 16-25, 49-59). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kay and Shannon because Shannon's teaching of accessing control and database matching enables Kay's method to match the content categories in the request and determine whether the user is permitted to access the particular server to obtain the requested content.

33. As per claims 27, Kay taught the invention substantially as claimed in claim 22. Kay did not specifically teach to further comprise a content map that indicates, for at least some content requests, at least one secondary server known to store at least a type of content that corresponds to that content request. Shannon taught to comprise a content map that indicates at least one secondary server known to store at least a type of content that corresponds to a content request (col.9, lines 18-24, 64-67, col.10, lines 1-28; category database) and further use the content map to match the content request and determine whether the requesting user is permitted to access the secondary server (col.10, lines 24-28, col.12, lines 37-45, col.13, lines 19-30, 52-67, col.14, lines 1-5, 16-25, 49-59). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kay and Shannon because Shannon's teaching of accessing control and database matching enables Kay's system to match the content categories in the request and determine whether the user is permitted to access the particular server to obtain the requested content.

Art Unit: 2154

34. As per claim 28, Kay and Shannon taught the invention substantially as claimed in claim 27. Shannon further taught that the means for generating and transmitting determines the at least one secondary server to which the second content request is transmitted based on the content map (col.10, lines 10-28, col.12, lines 37-45, col.13, lines 19-30, 52-67, col.14, lines 1-5, 16-25, 49-59).

35. As per claim 29, Kay and Shannon taught the invention substantially as claimed in claim 27. Shannon further taught that the means for generating and transmitting determines whether the content map indicates at least one secondary server known to store at least a type of content that corresponds to the content corresponding to the first content request, the means for generating and transmitting generating a search of a plurality of secondary servers if the content map does not indicate at least one secondary server known to store at least a type of content that corresponds to the content corresponding to the first content request, the means for generating and transmitting updating the content map based on results of the search (col.10, lines 10-28, col.12, lines 37-45, col.13, lines 19-30, 52-67, col.14, lines 1-5, 16-25, 49-59).

36. Claims 6-7, 10 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kay, US 6,272,492, in view of Doyle, US 6,678,793, and Shannon, US 6,233,618.

37. As per claims 6-7 and 10, Kay and Doyle taught the invention substantially as claimed in claims 1-5 and 9. Kay further taught the step of determining whether at least one secondary server is known to store at least a type of content that corresponds to the content corresponding

Art Unit: 2154

to the first content request based on a stored content map (col.3, lines 43-49). Kay and Doyle did not specifically teach the method to comprise:

- a. Searching, if at least one secondary server is not known, a plurality of secondary servers to identify at least one secondary server that contains at least a type of content that corresponds to the content corresponding to the first content request;
- b. Adding, in response to the searching step, to the stored content map the at least one identified secondary server located by the search; and
- c. Transmitting, based on the at least one secondary server identified in the content map, the second content request to that at least one secondary server in response to either the adding step or the at least one secondary server determining step.

38. Shannon taught a method to restrict user access using categories to determine whether at least one secondary server is known to store at least a type of content that corresponds to the content corresponding to the first content request based on a stored content map (col.9, lines 18-24, 64-67, col.10, lines 1-28); searching a plurality of secondary servers to identify at least one secondary server that contains at least a type of content that corresponds to the content corresponding to the first content request if at least one secondary server is not known (col.10, lines 10-28); in response to the searching step, adding to the stored content map the at least one identified secondary server located by the search (col.10, lines 21-28) and transmitting, based on the at least one secondary server identified in the content map, the second content request to that at least one secondary server in response to either the adding step or the at least one secondary server determining step (col.10, lines 24-28, col.12, lines 37-45, col.13, lines 19-30, 52-67,

Art Unit: 2154

col.14, lines 1-5, 16-25, 49-59). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kay, Doyle and Shannon because Shannon's teaching of accessing control and database matching enables Kay and Doyle's method to match the content categories in the request and determine whether the user is permitted to access the particular server to obtain the requested content.

39. As per claim 18, Kay and Doyle taught the invention substantially as claimed in claim 16. Kay and Doyle did not specifically teach that the proxy server determines whether the content map indicates at least one secondary server known to store at least a type of content that corresponds to the content corresponding to the first content request, the proxy server generating a search of a plurality of secondary servers if the content map does not indicates at least one secondary server known to store at least a type of content that corresponds to the content corresponding to the first content request, the proxy server updating the content map based on results of the search. Shannon taught a proxy server to determine whether the content map indicates at least one secondary server known to store at least a type of content that corresponds to the content corresponding to the first content request, the proxy server generating a search of a plurality of secondary servers if the content map does not indicates at least one secondary server known to store at least a type of content that corresponds to the content corresponding to the first content request, the proxy server updating the content map based on results of the search (col.10, lines 10-28, col.12, lines 37-45, col.13, lines 19-30, 52-67, col.14, lines 1-5, 16-25, 49-59). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kay, Doyle and Shannon because Shannon's teaching of accessing

control and database matching enables Kay and Doyle's method to match the content categories in the request and determine whether the user is permitted to access the particular server to obtain the requested content.

Response to Arguments

40. Applicant's arguments with respect to claims 1-29 have been considered but are moot in view of the new ground(s) of rejection.

41. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Logue et al, 5,935,207.

Ilnicki et al, US 6,751,677.

42. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

Art Unit: 2154


however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

43. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenny Lin whose telephone number is (571) 272-3968. The examiner can normally be reached on 8 AM to 5 PM Tue.-Fri. and every other Monday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ksl
July 14, 2005


JOHN FOLLANSBEE
SUPERVISOR, PATENT EXAMINER
TECHNOLOGY CENTER 2100